

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN AND ANNE TARTIKOFF,

Plaintiffs,

v.

USAA CASUALTY INSURANCE  
COMPANY,

Defendant.

CIVIL ACTION  
NO. 23-1590

**ORDER**

**AND NOW**, this 7th day of June 2024, upon consideration of Defendant's Motion to Dismiss Count II of Plaintiffs' Amended Complaint (Doc. No. 15), Plaintiffs' Response in Opposition (Doc. No. 16), Defendant's Reply (Doc. No. 17), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** that the Motion to Dismiss (Doc. No. 15) is **GRANTED**. Count II of Plaintiffs' Amended Complaint (Doc. No. 14) is **DISMISSED**. Defendant shall file an Answer to the Amended Complaint (Doc. No. 14) by **June 24, 2024**.

BY THE COURT:

/s/ Joel H. Slomsky, J.  
JOEL H. SLOMSKY, J.